



DEPARTMENT OF THE NAVY

BOARD FOR CORRECTION OF NAVAL RECORDS

2 NAVY ANNEX

WASHINGTON DC 20370-5100

TRG

Docket No: 2315-00

20 April 2000

From: Chairman, Board for Correction of Naval Records
To: Secretary of the Navy

Subj: REVIEW OF NAVAL RECORD OF [REDACTED]

Ref: (a) Title 10 U.S.C. 1552

Encl: (1) DD Form 149 w/attachments
(2) Case Summary
(3) Subject's naval record

1. Pursuant to the provisions of reference (a), Petitioner, a retired enlisted member of the United States Marine Corps Reserve filed enclosure (1) with this Board requesting, in effect, that the date of his retirement be changed to allow credit for an additional drill weekend.

2. The Board, consisting of Mr. Pfeiffer, Mr. Chapman and Ms. Gilbert, reviewed Petitioner's allegations of error and injustice on 18 April 2000 and, pursuant to its regulations, determined that the corrective action indicated below should be taken on the available evidence of record. Documentary material considered by the Board consisted of the enclosures, naval records, and applicable statutes, regulations and policies.

3. The Board, having reviewed all the facts of record pertaining to Petitioner's allegations of error and injustice, finds as follows:

a. Before applying to this Board, Petitioner exhausted all administrative remedies available under existing law and regulations within the Department of the Navy.

b. Enclosure (1) was filed in a timely manner.

c. Petitioner reenlisted in the Marine Corps Reserve on 13 June 1997 in the grade of MGYSGT (E-9). On 16 February 1999, Headquarters Marine Corps approved his request to be transferred to the Retired Reserve to be effective on 1 March 1999.

d. Petitioner states that he attended and was paid for the drill weekend on 6 and 7 March 1999. Since his retirement was effective on 1 March 1999, he is indebted to the government for the drill pay.

CONCLUSION:

Upon review and consideration of all the evidence of record the

Board concludes that Petitioner's request warrants favorable action. The Board notes that the retirement authorization was not received until after the drill weekend in February. Therefore, Petitioner apparently attended the March drills so that he could be honored at a retirement ceremony. Since his retirement was effective on 1 March 1999, it is clear that he was paid in error. Given the circumstances, the Board concludes that the record should be corrected to show that he transferred to the Retired Reserve effective on 1 April 1999 vice the retirement on 1 March 1999 now of record.

The Board further concluded that this Report of Proceedings should be filed in Petitioner's naval record so that all future reviewers will understand the reason for the change in the retirement date.

RECOMMENDATION:

a. That Petitioner's naval record be corrected to show that he transferred to the Retired Reserve on 1 April 1999 vice the transfer to the Retired Reserve on 1 March 1999 now of record.

b. That this Report of Proceedings be filed in Petitioner's naval record.


4. It is certified that a quorum was present at the Board's review and deliberations, and that the foregoing is a true and complete record of the Board's proceedings in the above entitled matter.

ROBERT D. ZSALMAN
Recorder



ALAN E. GOLDSMITH
Acting Recorder

5. Pursuant to the delegation of authority set out in Section 6(e) of the revised Procedures of the Board for Correction of Naval Records (32 Code of Federal Regulations, Section 723.6(e)) and having assured compliance with its provisions, it is hereby announced that the foregoing corrective action, taken under the authority of reference (a), has been approved by the Board on behalf of the Secretary of the Navy.



W. DEAN PFEIFFER
Executive Director